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C O N F I D E N T I A L QUITO 002212

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TAGS: [PGOV](#) [EC](#)

SUBJECT: ECUADOR ASSEMBLY ELECTION: READY OR NOT, HERE IT COMES

REF: GUAYAQUIL 396

Classified By: DCM JEFFERSON T. BROWN FOR REASON 1.4 (D)

1. (SBU) SUMMARY: September 30 Constituent Assembly voting and determination of winners will be complicated and possibly chaotic. So far few predict significant fraud. The Supreme Electoral Tribunal reversed itself on September 23 to allow exit polls and quick counts, which will lend greater legitimacy to the election if consistent with official results. Observation efforts by the local NGO Citizen Participation and by OAS, EU, and Carter Center international observers will help ensure transparency. (End Summary)

ONE THING CERTAIN - ELECTION DAY WON'T BE SIMPLE

2. (SBU) Voting is mandatory in Ecuador, so adults (except those over 65 or with disabilities) have no choice but to show up at the polls. What they face there would shock any American voter. The national ballot measures approximately 3x2 feet, with 26 party lists containing 624 names and tiny photos. The provincial ballots range from 648 candidates in Guayas province to 16 in Napo and Galapagos. (Note: 24 seats go to national candidates, 100 to provincial candidates, and 6 to overseas representatives.) Citizens may vote for an entire party list on each ballot or for individual candidates from more than one list. The setup is likely to lead to an unusually high number of blank or invalid ballots.

3. (C) With so many candidates, voting could take 10 minutes per person, resulting in long lines at the polls and a chance that not everyone will make it to the ballot box. Anyone in the door at the 5:00 PM closing time will be allowed to vote, meaning that the process could run well into the evening. Extending the vote into a second day cannot be ruled out. Media explanations of the voting process and distribution of sample ballots may help prepare the well-educated, but probably do not reach most Ecuadorians.

4. (C) Other factors may add to the confusion. Most poll workers are new, and the Supreme Electoral Tribunal told us only 57 percent of them had been trained as of September 16. Notifying citizens who are designated to work at the polls has been problematic, especially in Guayas province, which has the most seats at stake. The military and police are supposed to provide security on election day, but there have been persistent rumors of a police strike. However, the strike may fizzle if police commanders paid the benefits the rank-and-file were seeking, as we have heard. One town in Manabi province is threatening to boycott the vote in order to put pressure on authorities to approve local public works.

FEW SIGNS OF FRAUD TO DATE

¶15. (C) Pre-elections monitoring by the OAS, EU and the Carter Center has yielded no signs of fraud. On September 14, Carter Center observation team chief Jaime Aparacio stated that they had not seen any evidence of fraud, but cannot rule out the possibility of fraud on election day.⁸ One disturbing report came from Humberto Mata of the Ecuadorian Force Movement, who complained to us that the Guayas Electoral Tribunal refused to issue his party credentials to witness the counting. We cannot rule out irregularities at both the Supreme Electoral Tribunal and provincial electoral tribunals, all of which are composed of members appointed by political parties.

SEAT ASSIGNMENTS PROCESS A MATHEMATICIAN'S DREAM

¶16. (SBU) The seat assignment process will result in a larger number of parties winning seats in each jurisdiction than if the individuals attracting the most votes won seats (as will be the case for the six overseas representatives). The candidates with the highest number of votes will not necessarily become Assembly members because votes for individuals (rather than an entire party list) will be transformed into votes for party lists through a weighting method. Some commentators have criticized the approach for violating the principle of "one man, one vote."

¶17. (C) The Supreme Electoral Tribunal announced that official results would be available 20-30 days after the election. Tribunal President Jorge Acosta told us privately, however, that the Tribunal's internal goal is to make the results available in 10 days. The Tribunal continues to

consider action against a number of government and opposition candidates for premature campaigning, which means those seats could go to their alternates if the Tribunal rules against them.

MULTITUDE OF GROUPS TO OBSERVE

¶18. (SBU) The most significant election monitoring effort will be that of the Ecuadorian NGO Citizen Participation (Participacion Ciudadana). The group plans to field 8,335 volunteers and staff on election day to keep a sharp eye on actions at polling stations nationwide and conduct a quick count (Reftel).

¶19. (SBU) For the Organization of American States, some 40 observers from 12 member states and Spain, led by Chilean diplomat Enrique Correa, will monitor polling stations throughout the country. Seven Embassy Quito personnel will take part in the OAS effort. The OAS is coordinating with the election observation efforts of the European Union and the Carter Center. The EU sent a team of 38 observers, while the Carter Center is fielding six observers, including former Peruvian President Alejandro Toledo. In addition, the Supreme Electoral Tribunal is organizing a separate group of international observers.

SUPREME ELECTORAL TRIBUNAL IN QUICK REVERSE

¶10. (SBU) The Supreme Electoral Tribunal decided suddenly just ten days before the election to prohibit unofficial exit polls and quick counts, citing concerns about speculation due to a large margin of error. It immediately faced a torrent of criticism. President Correa called the move a "serious mistake." The OAS sent a letter to the Tribunal criticizing the measure. Citizen Participation explained its quick count methodology to the Tribunal in detail. The Tribunal then reversed itself on September 23, deciding to allow exit polls and quick counts as long as the results were first provided to the Tribunal, did not show a tie, and were released after the polls close at 5:00 PM. Tribunal President Acosta claimed publicly that Correa's comments were given no more weight in this decision than those of any other citizen.

¶11. (C) The reasoning behind the prohibition was puzzling,

but most international observers believed it would benefit traditional political parties by casting doubt on the legitimacy of the election. Tribunal President Acosta told us that he acted at the request of opposition Patriotic Society Party (PSP) candidate Gilmar Gutierrez in order to prevent Alianza PAIS from conducting an exit poll or quick count. He claimed that the PSP then had a change of heart, prompting its leader Lucio Gutierrez to speak out against the measure the next day. We suspect the truth behind the prohibition attempt was more complicated.

¶12. (SBU) Citizen Participation will arrive at a quick count through a sample of ballots, with an estimated margin of error of less than 1 per cent. An accurate exit poll is a greater challenge. Only pollster Santiago Perez (who is believed to be working for the government) and a polling company that is part of the Noboa Group (led by opposition PRIAN candidate Alvaro Noboa) will go ahead with exit polls.

COMMENT

¶13. (C) Ecuador has a record of reasonably clean elections, with reports at times of small-scale fraud. We have no reason to expect more systematic fraud this time around. Our concerns focus instead on the complicated voting process and lack of adequate training for poll workers, which will result in confusion, mistakes, and possibly disenfranchisement of some voters. Unreliable exit polls are another concern, since any significant difference between exit polls and later counts will spark mistrust of the electoral process, allegations of fraud, and possible confrontation.

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